

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

RANDALL GLARDON,	:	
	:	
Plaintiff,	:	Case No. 3:19-cv-247
	:	
v.	:	Judge Thomas M. Rose
	:	
SPEEDWAY, LLC, <i>et al.</i> ,	:	
	:	
Defendants.	:	

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**ENTRY AND ORDER DENYING AS MOOT DEFENDANTS' PARTIAL  
MOTION TO DISMISS PLAINTIFF'S COMPLAINT (DOC. 12)**

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On August 14, 2020, Defendants Speedway, LLC ("Speedway"), Karon Brock ("Brock"), and Darin Hulsmeyer ("Hulsmeyer," and, collectively, "Defendants") filed Defendants' Partial Motion to Dismiss Plaintiff's Complaint (the "Partial Motion to Dismiss"). (Doc. 12.) In the Partial Motion to Dismiss, Defendants moved the Court to dismiss (only) Count I of Plaintiff's Complaint. (*Id.*) On August 26, 2020, the parties jointly filed a "Stipulated Notice of Dismissal" (Doc. 13) in which the parties stipulated to the dismissal of Count I of Plaintiff's Complaint. In light of that stipulation, the Court **DENIES AS MOOT** the Partial Motion to Dismiss.

**DONE** and **ORDERED** in Dayton, Ohio, this Thursday, August 27, 2020.

s/Thomas M. Rose

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE